

Kevin McCulloch

From: Rosenthal, Edward
Sent: Friday, February 13, 2015 10:27 AM
To: 'kevin@nmiplaw.com'
Cc: Kadyshevich, Anna
Subject: RE: [BULK] Re: Warren v. Wiley

Kevin –

I have obtained authority to resolve this case for \$ [REDACTED].

Ned

Edward H. Rosenthal | Frankfurt Kurnit Klein & Selz PC
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From: kevin@nmiplaw.com [<mailto:kevin@nmiplaw.com>]
Sent: Thursday, February 12, 2015 10:06 PM
To: Rosenthal, Edward
Cc: Kadyshevich, Anna
Subject: [BULK] Re: Warren v. Wiley
Importance: Low

I have authority to reject your offer of \$ [REDACTED]. We feel our last offer was already too low so we will not be making any further counter demands.

As to your potential next move, I don't have authority to come down to \$ [REDACTED] and I will not recommend my client accept that amount. Of course I will take any offer to my client, but I don't see him accepting that amount at this stage given the expenses he's already incurred in this litigation.

If you get to \$ [REDACTED], I will recommend it.

If you can get to \$ [REDACTED], at this point, I can't imagine why Wiley can't/won't come up to \$ [REDACTED] given that Wiley will incur more than the paltry \$ [REDACTED] difference in a heartbeat if we don't settle this week.

Let me know Wiley's final settlement position by early afternoon.

Sent via BlackBerry by AT&T

From: "Rosenthal, Edward" <erosenthal@fkks.com>
Date: Thu, 12 Feb 2015 20:01:45 +0000
To: Kevin McCulloch<kmcculloch@nelsonmcculloch.com>
Cc: Kadyshevich, Anna<AKadyshevich@fkks.com>
Subject: Warren v. Wiley

Kevin

I have authority to settle for \$ [REDACTED]. I think there is a little more room, but I need to work on getting approval. My strong sense is that if Mr. Warren would agree to \$ [REDACTED], we can get this done. I would like to have a sense as to whether this will work before I go back for authority.

Ned

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